

Delegations and Authorised Officer Powers

Policy



Document title	Delegations and Authorised Officer Powers Policy
Contact details	Department of Children and Families Operational Policy dcf.policy@nt.gov.au
Approved by	Executive Leadership Board
Date approved	27/06/2024
Document review	24 months from date of approval
TRM number	61:F2021/00758

Version	Active from	Author	Changes made
1.0	16/03/2015	Operational Policy	First version.
1.1	12/12/2016	Operational Policy	Rebranding, added DCEO as being able to exercise the powers specified in the instrument of authorisation.
1.12	21/07/2017	Operational Policy	Minor amendments.
1.13	23/07/2018	Operational Policy	Updated to align with organisational structure and functions.
1.2	21/08/2018	Operational Policy	Updated to align with organisational structure and functions.
1.3	1/11/2024	Agency and Procedure Policy	Updated to align with training requirements for authorisation and amended delegations to approve authorisation.
1.31	20/01/2026	Operational Policy	Rebranded and. Made small edits regarding formatting and grammar. Updated hyperlinks.

Acronyms	Full form
CMS	Client Management System (CARE)
CEO	Chief Executive Officer
ID	Identification
the Department	Department of Children and Families
the Act	Care and Protection of Children Act 2007

Contents

1. Policy Purpose	4
2. Policy Statement	4
2.1. Delegation of Chief Executive Officer's powers.....	4
2.2. Appointment as an authorised officer	4
2.3 Departmental authorised officer photo identification card.....	5
2.3. Revocation of appointment as an authorised officer.....	5
3. Legislative basis and related documents.....	6

1. Policy Purpose

To describe the assignment of authority to exercise powers under the [Care and Protection of Children Act \(2007\)](#) and associated regulations, and the responsibilities involved in exercising the assigned powers.

2. Policy Statement

2.1. Delegation of Chief Executive Officer's powers

The [Care and Protection of Children Act \(2007\)](#) (the Act) gives the Chief Executive Officer (CEO) a number of powers and functions in order to achieve the objects of the Act. The CEO may delegate these powers and functions to a Department of Children and Families (the Department) employee.

Delegated powers can be recognised in the Act where it says, for example, 'the CEO must', or 'the CEO may'.

Section 6(2) of the Act states that anyone exercising a power or function under the Act must uphold the principles in Part 1.3 of the Act.

The CEO's powers and functions are delegated to Departmental staff in writing, through the mechanism of a signed legal instrument and accompanying schedule of delegations. The schedule sets out the sections of the Act that contain specific powers and functions and the positions, including the title and level, which are delegated these powers and functions.

From time to time an employee may be called on to perform the duties of another position, for example an employee in the placements team may be called on to work on an investigation into alleged harm to a child in the CEO's care. In this capacity they are temporarily fulfilling the duties of a child protection practitioner. However, the employee must be an appointed authorised officer before exercising the delegated powers and functions of a practitioner role. Refer to *Appointment as an authorised officer procedure*.

When an employee is performing the duties of another position, they must record in the child's file that they are fulfilling the duties of that position. Managers must ensure the employee has the appropriate access to the client management system (CMS) to record decisions and actions associated with their delegated powers and functions.

It is a manager's responsibility to ensure that any person occupying a position with delegations, even on a temporary basis, has the knowledge and skills to adequately perform the powers and functions they are delegated.

It is an employee's responsibility to familiarise themselves with the powers delegated to their position.

2.2. Appointment as an authorised officer

In order to undertake some statutory care and protection duties, employees must be appointed as an authorised officer. Authorised officers are appointed through an Instrument of Authorisation signed by:

- CEO.
- Deputy CEO Regional Services.
- General Manager Regional Services.
- Executive Director Northern Territory Wide Services.
- Regional Executive Director.

Authorised officers can exercise the powers and perform the functions that are specified in the Instrument of Authorisation.

Authorised officer powers can be identified in the Act where it refers to 'authorised officer'. The relevant sections are listed in the reference authorised officer powers.

It is the responsibility of the manager to ensure that all new employees are adequately trained to carry out authorised officer functions prior to requesting their appointment. Completion of the mandatory core units of the face-to-face pre-service training is a prerequisite for appointment as an authorised officer. Workers must have completed their mandatory core training as a requirement of being authorised.

Under no circumstances should an employee be directed to perform the functions of an authorised officer until they have been appointed.

Staff who commence employment but have not undertaken their mandatory core pre-service training can assist authorised officers with their cases, but they are not able to make case management decisions or lead actions that require authorisation.

2.3 Departmental authorised officer photo identification card

Section 305 of the Act requires that an officer appointed as an authorised officer by the CEO or their delegate must be issued with a photo identification (ID) card, specifying the officer's name and office (position), powers and functions, and containing their signature, a recent photo and verification of the signature and photo by the CEO or delegate.

Should the authorised officer cease to be an authorised officer, the card must be returned within one month for disposal. Failure to return the ID card is an offence under the Act.

Authorised officers must always carry their Departmental authorised officer photo ID card with them when performing duties under the Act. The ID card should be presented during the first contact with people whilst performing statutory duties and produced at other times if asked to do so.

Employees are to take all reasonable steps to ensure that their ID card is kept in a secure location and protected from misuse.

The card must be returned to the business manager or manager for disposal when the officer's employment ceases, or they move to a role where it is no longer required.

2.3. Revocation of appointment as an authorised officer

A person ceases to require appointment as an authorised officer when they:

- Cease to be an employee
- or
- Change roles and the new role does not require the exercise of authorised officer powers.

Revocation of authorisation will occur alongside the process to authorise new workers and is included in the Memo to authorise new staff.

Note: So not to create confusion with section 2.1 and 2.2, there will be delegates who have been appointed as an authorised officer who are not in roles that exercise their authorised of powers but will retain their authorised officer status. The purpose will be to provide support to the regions when required.

3. Legislative basis and related documents

[Care and Protection of Children Act 2007](#)

[Appointment as an authorised officer procedure](#)

[Issuing of an authorised officer photo ID card procedure](#)